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Practitioner's Docket No. 791_056 DIV

PATENT

NEW APPLICATION TRANSMITTAL

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to **Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231** on February 8, 2002 under "EXPRESS MAIL" mailing label number **EL872579422US**.

Elizabeth A. VanAntwerp
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Box Patent Application
Assistant Commissioner for Patents
Washington D.C. 20231

Transmitted herewith for filing is the patent application of:

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Inventor 3: Kenshin KITO
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Japan



TITLE: LITHIUM SECONDARY BATTERY

1. Type of Application

This is a request for filing a *DIVISIONAL APPLICATION* under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 09/348,530, Prior Art Unit: 1745
Filed: July 7, 1999, Prior Examiner: Alejandro, R.
Title: LITHIUM SECONDARY BATTERY
Inventors: Hiroshi NEMOTO, Michio TAKAHASHI and Kenshin KITO.

2. Papers Enclosed

A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

34 Page(s) of Specification
3 Page(s) of Claims
1 Page(s) of Abstract
0 Sheets of Formal Drawings (No Figures)

B. Other Papers Enclosed

- ☒ A Patent Application Bibliographic Data Sheet
- ☒ A copy of the Declaration and Power of Attorney from the prior application
- ☐ A Preliminary Amendment
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449

3. The correspondence address for this application is: Customer No.: 025191

Telephone: (315) 233-8300
 Facsimile: (315) 233-8320

Electronic Mail: vananl@macklaw.com

4. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)

- ☐ Applicants hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.
- ☐ Applicants hereby request that the attached application **not** be published under 35 U.S.C. 122(b).

5. ☒ Amend the specification by inserting, after the title and before the first line, the paragraph:

--CROSS REFERENCE TO RELATED APPLICATION

This application is a division of U.S. Application Serial No. 09/348,530, filed July 7, 1999, now allowed, the entirety of which is incorporated herein by reference.--

6. Relate Back**A. 35 U.S.C. 119(e)**

- ☐ Priority of provisional application Serial No. _____ filed _____, is hereby claimed under 35 U.S.C. §119(e).

B. 35 U.S.C. 120, 121 and 365(c)

- ☒ Priority of said prior application 09/348,530, filed July 7, 1999, is hereby claimed under 35 U.S.C. §120.

C. 35 U.S.C. 119 Priority Claim for Prior Application

- ☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

<u>Country</u>	<u>Application Number</u>	<u>Filing Date</u>
Japan	10-197,853	July 13, 1998
Japan	10-331,449	November 20, 1998

- ☒ Certified copies of the above corresponding foreign applications were filed in prior application Serial No. 09/348,530 on July 7, 1999.

7. Declaration or Oath (including Power of Attorney)

The power of attorney in the prior application is to Stephen P. Burr, Reg. No. 32,970:

- ☐ The power appears in the New Power of Attorney form filed herewith.
☒ A copy of the power in the prior application is enclosed.
☐ Power filed in the previous case - no new power is necessary.

8. Assignment

The prior application is assigned of record to NGK Insulators, Ltd. at Reel 010101,
 Frame(s) 0816-0818 (recorded July 7, 1999).

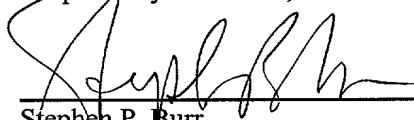
9. The filing fee has been calculated as shown below:

Basic Filing fee (37 CFR §1.16(a))				\$ 740.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	10 - 20 =	0	× \$ 18.00	
Independent Claims	4 - 3 =	1	× \$ 84.00	\$ 84.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 824.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				
TOTAL FEES DUE =				\$ 824.00

10. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment

- ☒ A check in the amount of \$824.00 is enclosed.
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
☒ Any additional filing fees required under 37 CFR 1.16.
☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,


 Stephen P. Burr
 Reg. No. 32,970

February 8, 2002

Date

SPB/eav

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